

FILED

MAR 09 2011

BOARD OF PHARMACY

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF PHARMACY

IN THE MATTER OF THE SUSPENSION :	Administrative Action
OR REVOCATION OF THE LICENSE OF :	
:	FINAL ORDER OF
SOLOMON O. MADUKO, R. P. :	DISCIPLINE
License No. 051 038760 :	
:	
TO PRACTICE PHARMACY IN THE :	
THE STATE OF NEW JERSEY :	

This matter was opened to the New Jersey State Board of Pharmacy (the "Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Solomon O. Maduko, RP ("Respondent") was licensed as a pharmacist in the State of New Jersey in 1990 and has been inactive since March 2004 at his own request. (Board's L2K printout attached hereto and made a part hereof as "Exhibit A").

2. On or about April 8, 2010, the Illinois Department of Financial and Professional Regulation suspended Respondent's license to practice pharmacy in the State of Illinois for a period of thirty (30) days and immediately following the term of suspension, placed Respondent on indefinite probation subject to certain conditions. (Illinois Department of Financial and

Professional Regulation Consent Order attached hereto and made a part hereof as "Exhibit B").

3. Action was taken upon the finding that Respondent was convicted of Official Misconduct and Computer Fraud in the Circuit Court of Cook County, Illinois in that Respondent dispensed controlled substances without the authorization of an authorized prescriber and that he used the initials of another pharmacist to conceal his actions. (See Exhibit B).

4. Respondent denied the allegations, but acknowledged that he used the initials of another pharmacist in order to give that pharmacist credit for work that should have been completed by that pharmacist. (See Exhibit B).

CONCLUSIONS OF LAW

The above disciplinary action taken by the sister State of Illinois provides grounds to take disciplinary action against Respondent's license to practice pharmacy in New Jersey pursuant to N.J.S.A. 45:1-21(g), in that Respondent has had his authority to engage in the activity regulated by the Board suspended by another state for reasons consistent with N.J.S.A. 45:1-21. In addition, Respondent having engaged in acts constituting any crime or offense involving moral turpitude and relating adversely to the activity regulated by the Board, provides grounds to take disciplinary action against Respondent's license to practice pharmacy in New Jersey pursuant to N.J.S.A. 45:1-21(f).

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline preliminarily proposing to restrict Respondent's license to practice pharmacy in the State of New Jersey was issued on December 15, 2010, and a copy was served on Respondent. The Provisional Order of Discipline was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless Respondent requested a modification or dismissal of the stated Findings of Facts or Conclusions of Law by submitting a written request for modification or dismissal, setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed, and submitting any and all documents or other written evidence supporting Respondent's request for consideration and the reasons therefor.

Accordingly, having considered the matter in light of Respondent's failure to request that a hearing be scheduled, and his failure to provide the Board with any substantive response to the provisional order; and the Board having determined that further proceedings are therefore not necessary; the Board has determined that the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 9th day of MARCH, 2011

ORDERED that:

1. Respondent's license to practice pharmacy in the State of New Jersey is hereby suspended for a period of thirty (30) days, effective immediately.

2. In the event that Respondent seeks reinstatement of his New Jersey pharmacy license at any time in the future, Respondent shall be required to appear before the Board, or a Committee thereof, to demonstrate fitness to practice pharmacy and show proof that he holds an active unrestricted license to practice pharmacy in the State of Illinois. After considering all available information, the Board will determine whether to reinstate Respondent's license and may impose restrictions or conditions on Respondent's license at the time of reinstatement, including, at a minimum, any and all probationary terms placed on Respondent's Illinois license.

3. Any practice in this State prior to reinstatement of Respondent's license shall constitute grounds for discipline for violation of a Board Order and professional misconduct.

NEW JERSEY STATE BOARD OF PHARMACY

By:

Edward G. McGinley
Edward G. McGinley, R. Ph.
President

EXHIBIT A

License 2000 - NJPS - New Jersey Division of Consumer Affairs

File Person/Facility License Activities Window Help

Standard toolbar icons for file operations and editing.

Licensee - SOLOMON OKEY MADUKO (Pharmacy)

General Licenses Education Employment Background Supp. Info.

License #	Type	Status	Probation?	Limited?	Restricted?
0000000000	Pharmacist	Inactive			

Addr of Record	Issue Date: 08/07/1990	Applicant Number: 709507
Detail	Obtained By: Examination	MyLicense Number: 16018822
Specialties	From State/Prov.:	From Country:
Employer	Expiration Date: 04/30/2005	
Supp. Info.	Date This Status: 03/25/2004	Last Renewal Date: 03/19/2003
Additional	Reason Changed: License Withdrawn	Renewal ID:
CSR	Date Archived:	
Drug Add.	Effective Date: 08/07/1990	
	Last Reprint Date:	
	Reprint Count: 0	

Remarks

Ready

Taskbar showing system clock (October 2010, 8:00 AM) and various application icons.

EXHIBIT B

STATE OF ILLINOIS

**ILLINOIS DEPARTMENT OF FINANCIAL AND PROFESSIONAL REGULATION
DIVISION OF PROFESSIONAL REGULATION**

DEPARTMENT OF FINANCIAL AND PROFESSIONAL)	
REGULATION, DIVISION OF PROFESSIONAL REGULATION)	
of the State of Illinois,)	
Complainant)	
)	No. 2008-10113
v.)	
)	
SOLOMON O. MADUKO)	
License No. 051-038760,)	
Respondent)	

CONSENT ORDER

The Illinois Department of Financial and Professional Regulation, Division of Professional Regulation, (hereinafter the "Department") by Scott A. Golden, its attorney, and SOLOMON O. MADUKO, Respondent, agree to the following:

STIPULATIONS

SOLOMON O. MADUKO is licensed as a pharmacist in the State of Illinois, holding license No. 051-038760. At all times material to the matter set forth in this Consent Order, the Illinois Department of Financial and Professional Regulation had jurisdiction over the subject matter and parties to this Consent Order.

Information has come to the Department's attention indicating that on or about November 24, 2008, Respondent was convicted of Official Misconduct and Computer Fraud in the Circuit Court of Cook County, Illinois. Said convictions were related to allegations that Respondent dispensed controlled substances without the authorization of an authorized prescriber and that he used the initials of another pharmacist to conceal his actions.

The aforementioned conduct as set forth herein, if proven to be true, would constitute grounds for disciplinary action against Respondent's license as a pharmacist on the authority of 225 ILCS

85/30(a)(14) (2007) and 225 ILCS 85/30(a)(7) (2007).

As a result of these allegations, the Department held an Informal Disciplinary Conference at the offices of the Department, 100 West Randolph Street, Suite 9-300, in Chicago, Illinois, on October 6, 2009. Respondent appeared on that date, represented also by counsel, Benjamin O. Nwyoe. Robert J. Anselmo, R.Ph., appeared as a member of the Illinois State Board of Pharmacy, and Scott A. Golden appeared as the attorney for the Department.

Respondent denies the Department's underlying allegations, however presents the following in mitigation: Respondent acknowledges that he used the initials of another pharmacist but that he only did so to give that pharmacist credit for work that should have been done by said pharmacist. Additionally, Respondent has fully cooperated with the Department in this matter.

Respondent has been advised of the right to have the pending allegation reduced to written charges, the right to a hearing, the right to contest any charges brought, and the right to administrative review of any Order resulting from a hearing. Respondent knowingly waives each of these rights, as well as any right to administrative review of this Consent Order. Such waiver ceases if this Consent Order is rejected by either Illinois State Board of Pharmacy or the Director of the Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation. Respondent acknowledges that he has entered into this Consent Order freely and of his own will without threat or coercion by the Department or any person. Respondent acknowledges that the Department attorney may be requested to communicate with the Illinois State Board of Pharmacy or the Director of the Division of Professional Regulation of the Illinois Department of Financial and Professional Regulation in furtherance of the approval of this Consent Order. Respondent and the Department have agreed, in order to resolve this matter, that Respondent be permitted to enter into a Consent Order with the Department, providing for the imposition of disciplinary measures which are fair and equitable in these circumstances and which are consistent

with the best interest of the people of the State of Illinois.

CONDITIONS

WHEREFORE, the Department, through Scott A. Golden, its attorney, and SOLOMON O.

MADUKO, Respondent, agree:

- A. The pharmacist license of SOLOMON O. MADUKO, License No. 051-038760, shall be placed on DEFINITE SUSPENSION for a period of thirty (30) days.
- B. Immediately following the term of suspension, the pharmacist license of SOLOMON O. MADUKO, License No. 051-038760, shall be placed on INDEFINITE PROBATION, and during that period, shall be subject to the following:
 1. If Respondent is employed in or holds a pharmacy-related position, Respondent shall provide a copy of this Consent Order to his employer or supervisor and Respondent shall request that his employer or supervisor provide the Department with written acknowledgement stating that said employer or supervisor received and reviewed this Consent Order. Within fifteen (15) days of obtaining a new pharmacy-related position, Respondent shall provide his new employer or supervisor with a copy of this Consent Order and shall request that Respondent's new employer or supervisor provide the Department with written acknowledgment stating that said employer or supervisor received and reviewed this Consent Order;
 2. Respondent shall notify the Department in writing of any/all change(s) of employment, within fifteen (15) days of the change of employment. Respondent's notification shall include Respondent's new employer's name, address, and telephone number. If Respondent does not hold a pharmacy-

related position, Respondent shall submit to the Department a written report stating Respondent does not hold a pharmacy-related position;

3. Respondent shall notify the Department in writing of any and all changes in Respondent's address and/or telephone number, within fifteen (15) days of the change;
4. Respondent shall cause copies of quarterly reports from his employer to be sent to the Department which include, at a minimum, the following:
 - a. A copy of any performance evaluation completed by Respondent's employer within the prior quarter;
 - b. A description of Respondent's job duties and responsibilities;
 - c. A copy of any incident reports concerning Respondent within the prior quarter;
 - d. A copy of any complaints regarding Respondent's practice; and
 - e. A copy of any complaints regarding Respondent's conduct in the workplace.
5. Respondent shall submit quarterly reports to the Department outlining his compliance with the terms and conditions of this Consent Order; and
6. Respondent shall not have any ownership interest nor be pharmacist-in-charge of any pharmacy.

C. Any violation(s) by Respondent of the terms and/or conditions of this Consent Order shall be grounds for the Department to immediately file a Complaint to revoke or otherwise discipline Respondent's license to practice as a pharmacist in the State of Illinois.

D. Any violation(s) by Respondent of the Illinois Pharmacy Practice Act and/or the Rules for the Administration of the Illinois Pharmacy Practice Act shall constitute a violation of

probation and shall be grounds for the Department to immediately file a Complaint to revoke or otherwise discipline Respondent's license to practice as a pharmacist in the State of Illinois.

E. Should Respondent Petition for Restoration, said license may be restored to unencumbered status, as determined by the Illinois State Board of Pharmacy and the Department at that time.

F. When Petitioning for Restoration of Respondent's pharmacist license, Respondent shall have the burden to show by competent evidence:

1. That Respondent has no criminal matters pending in the State of Illinois;
2. That Respondent is not incarcerated;
3. That Respondent is not on criminal probation, parole, or supervised release;
4. That Respondent has complied with all of the provisions of this Consent Order;
5. That Respondent has complied with all statutory requirements for renewal or reinstatement, including but not limited to continuing education, payment of all necessary fees and completion of all appropriate forms; and
6. That Respondent warrants the public trust.

G. Upon notice of the effective date of this Consent Order, Respondent shall send to the Department all indicia of licensure, including all copies of wall certificates and wallet cards. The certificates of licensure shall be stamped "Probation" and returned to Respondent. Respondent shall send said certificates of licensure to:

Illinois Department of Financial and Professional Regulation
Drug Compliance Coordinator
100 W. Randolph, Suite 9-100
Chicago, Illinois 60601

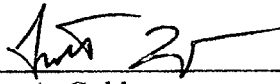
H. All reports required to be submitted to the Department pursuant to this Consent Order shall be sent to:

Illinois Department of Financial and Professional Regulation
Attn: Probation Compliance Unit
100 West Randolph, Suite 9-100
Chicago, Illinois 60601.

- I. This Consent Order shall become effective immediately upon signing and approval by the
Director of the Division of Professional Regulation of the Illinois Department of Financial
and Professional Regulation.


DIVISION OF PROFESSIONAL REGULATION
of the State of Illinois

3/22/10
DATE



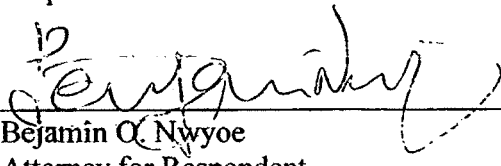
Scott A. Golden
Attorney for the Department

3/22/2010
DATE




Solomon O. Maduko
Respondent

3/22/2010
DATE



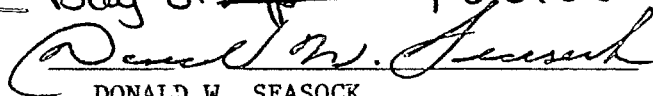
Benjamin O. Nwyoe
Attorney for Respondent

3-23-2010
DATE



Robert J. Anselmo, R.Ph.
Vice-Chairperson, Illinois State Board of Pharmacy

ILLINOIS DEPARTMENT OF FINANCIAL AND
PROFESSIONAL REGULATION
OF THE STATE OF ILLINOIS
BRENT E. ADAMS, SECRETARY
DIVISION OF PROFESSIONAL REGULATION

Dated this 8th Day of April, 2010.


DONALD W. SEASOCK
ACTING DIRECTOR

Case No. 2008-10113
License No. 051-038760